



# News Release

## IDAHO DEPARTMENT OF WATER RESOURCES

1301 N. Orchard St., Boise, ID 83706 - TEL: (208) 327-7900 FAX: (208) 327-7866

Internet Homepage: <http://www.idwr.state.id.us>

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### **STATE HEARING OFFICER RECOMMENDS DENIAL OF TWO RATHDRUM PRAIRIE WATER RIGHT REQUESTS**

For Immediate Release  
Boise, Idaho - July 18, 2002

For Media Information Contact:  
Dick Larsen - (208) 327-7933

A state water rights hearing officer has recommended that two applications for new ground water rights on the Rathdrum Prairie be denied, the Idaho Department of Water Resources announced today.

IDWR Hearing Officer L. Glen Saxton issued preliminary orders today (July 18) ruling that both North Idaho LLC, and Kootenai Generation LLC failed to meet their required burden of proof that their applications are not contrary to Idaho water law regarding the conservation of water resources within the state.

“There will be a need for additional water and power on the Rathdrum Prairie as the population of the northwest increases. A commitment of water for the sole purpose of power generation for a period of 30 years at the expense of other future worthwhile uses is short sighted and is contrary to conservation of water resources in Idaho, particularly when technology is available to reduce the amount of water required for power production,” Saxton wrote in his decision.

Saxton also noted in both preliminary orders that “conclusions of law relative to other decision criteria are not included because ‘the failure of the proposed project to comply with the criterion requiring conservation of water resources within the state of Idaho’ is by itself sufficient reason not to approve the application.”

Copies of the preliminary orders are available on the IDWR web site. The Internet web site address is: [www.idwr.state.id.us/orders/](http://www.idwr.state.id.us/orders/). The site also has information regarding options now available to both sides in the case.

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The two applications requested authorization to use a total of slightly more than 17 million gallons of ground water per day from the Rathdrum Prairie aquifer for cooling purposes in proposed natural gas-fired electrical generating plants. Contested case hearings on the two applications were held in February and March of this year in Coeur d'Alene.

Both applicants have 14 days from the time the orders are issued to request reconsideration of the hearing officer's preliminary order or to file briefs in the case with IDWR Director Karl J. Dreher.

North Idaho LLC had requested a water right authorizing the use of 10.71 Cubic Feet Per Second (7 million gallons per day) of ground water for cooling purposes in its proposed natural gas fired-electrical generating plant.

Kootenai Generation LLC had requested a new water right authorizing the use of 15.6 CFS (10 million gallons per day) also for cooling purposes at its proposed plant.